REMARKS

Summary of Office Action

Claims 1-13 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement.

Claims 14-23 stand withdrawn from further consideration for being directed to non-elected claims, though traversed.

No rejection based on art has been presented.

Summary of Amendment

No amendment to claims has been made at this time. Claims 1-23 remains pending in this application.

All Claims Comply With §112, 1st Paragraph

Claims 1-13 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement. In particular, the Office Action alleges that because "Applicant's disclosure provides no standard for ascertaining an appropriate original height for the electrical connecting pattern" or "does not provide any working examples," the Office Action alleges that "the experimentation needed to practice the invention is undue or unreasonable." Applicants disagree.

Claim 1 recites, in part, "a plurality of electrical connecting patterns...being formed of material ***having a plastic deformation property***...wherein a height of the electrical connecting pattern is smaller than the original height of the electrical connecting patter measured before an attachment of the first and second substrates." (Emphasis added.) Exemplary embodiments of

the application of the claimed electrical conducting patterns are explained throughout the specification in detail. (*See*, e.g., Figures 5A, 5B; p. 4, ln. 11; p. 15, ln. 3; and paragraphs [0036]-[0038].) The only ascertainable reason for the "non-enablement" in Office Action appears to be the statement that states "[t]he original height of the electrical connecting pattern may have an infinite number of possibilities." (OA: p. 3, ¶ 6.) However, Applicants respectfully assert that this alleged reason for uncertainly is unnecessary and unfounded.

As explained above, claim 1 recites, in part, "a plurality of electrical connecting patterns...being formed of material ***having a plastic deformation property***...wherein a height of the electrical connecting pattern is ***smaller*** than the ***original height*** of the electrical connecting patter measured before an attachment of the first and second substrates." As recited, there is no need to specify an ***absolute*** dimension to make and/or use the invention as claimed because the height of the electrical connecting patterns is given in a ***relative term*** to the original height of the electrical connecting patterns. As recited in claim 1, "the electrical connecting patterns [have] a plastic deformation property." One with ordinary skill in the art would have known the dimensions of each element fabricated on a substrate as the fabrication process of organic electroluminescent display devices are precise. Therefore, one with ordinary skill in the art would also have been able to ascertain whether the height of the electrical connecting patterns has changed ***before*** and ***after*** attachment of the first and second substrates without undue experimentation based on known deformation properties of the electrical connecting patterns and the amount of pressure used in attaching the first and second substrates together.

As stated in the MPEP, "[c]ompliance with the enablement requirement of 35 U.S.C.

§112, first paragraph, does not turn on whether an example is disclosed." (*See* MPEP §2164.02.) Rather the test for enablement is based on whether "the experiment needed to practice the invention undue or unreasonable." *Mineral Separation v. Hyde*, 242 U.S. 261, 270 (1916). The MPEP further states that "[a] specification disclosure which contains a teaching of the manner and process of making and using an invention in terms which correspond in scope of those used in describing and defining the subject matter sought be patented ***must be taken as being in compliance*** with the enablement requirement of 35 U.S.C. 112, first paragraph, unless there is reason to doubt the objective truth of the statement contained therein...(emphasis added)." (*See* MPEP §2164.04.) As stated above, the only ascertainable reason given for doubting the detailed description of the invention is the statement that "[t]he original height of the electrical connecting pattern may have an infinite number of possibilities." (OA: p. 3, ¶ 6.) However, as discussed above, a specific dimension of the original height is not necessary to make and/or use the invention. In fact, ***because*** the original height of the electrical connecting pattern may be different, a specific dimension is not specified since, according to the present invention, the height of the electrical connecting pattern is ***smaller than the original height*** before attaching the first and second substrates.

Based on these reasons, Applicants respectfully assert that the Office Action fails to provide a prima facie case of non-enablement as required in the MPEP. Moreover, Applicants respectfully assert that the claims based on the specification as originally filed fully allows one of ordinary skill in the art to make and/or use the invention without undue experimentation for the reasons stated above.

CONCLUSION

In view of the foregoing, reconsideration and timely allowance of the pending claims are respectfully requested. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

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By: _____
Kyle J. Choi
Reg. No. 41,480

Customer No.: 009626
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: 202.739.3000
Facsimile: 202.739.3001